

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 19-29907
Michelle Rybak Judge: JNP
Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 3/3/2020
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SW Initial Debtor: /s/ MR Initial Co-Debtor: /s/

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 250.00 per month to the Chapter 13 Trustee, starting on March 1, 2020 for approximately 55 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 1575 S. Myrtle St. Vineland, NJ 08360

Proposed date for completion: April 2020

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,960.00
DOMESTIC SUPPORT OBLIGATION	Child Support	Notice Only
Internal Revenue Service	Taxes	Notice Only
State of New Jersey	Taxes	Notice Only
Vineland Municipal Utilities	Lien	\$5,410.69

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Nissan Motor Acceptance	2013 Nissan Juke	\$5,000.00	\$17,717.34

f. Secured Claims Unaffected by the Plan ☐ **NONE**

The following secured claims are unaffected by the Plan:

LoanCare Service Center-1575 S. Myrtle St. Vineland, NJ 08360. Debtor to seek loan modification outside of the Plan.

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan
Wells Fargo Bank, N.A	Furniture	\$1,110.72

Part 5: Unsecured Claims ☒ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than _____ percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/3/2020.

Explain below **why** the plan is being modified:

To add Vineland Municipal Utilities under Part 3(a). To list Nissan Motor as surrendered under part 4(e). To add Wells Fargo under part 4(g).

Explain below **how** the plan is being modified:

To add Vineland Municipal Utilities under Part 3(a). To list Nissan Motor as surrendered under part 4(e). To add Wells Fargo under part 4(g)

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 3/3/2020

/s/ Michelle Rybak
Debtor

Date: _____

/s/
Joint Debtor

Date: 3/3/2020

/s/Seymour Wasserstrum
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Michelle A. Rybak
DebtorCase No. 19-29907-JNP
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 51

Date Rcvd: Mar 05, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2020.

db
518523755 +Michelle A. Rybak, 1575 S. Myrtle St., Vineland, NJ 08360-6429
518523757 +ADT Security Service, 14200 E. Exposition Ave., Aurora, CO 80012-2540
518523757 +American Exprerss, PO Box 17759, Clearwater, FL 33762-0759
518523758 Bank Of America, N.A., PO Box 15222, Wilmington, DE 19886-5222
518589718 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
518523764 ++COMPTROLLER OF MAYLAND, BANKRUPTCY UNIT, 301 W PRESTON ST ROOM 409,
BALTIMORE MD 21201-2396
(address filed with court: Comptroller Of Maryland, 1120 Carroll Street,
Annapolis, MD 21411-0001)
518523761 +Citibank, NA, PO Box 6077, Sioux Falls, SD 57117-6077
518523762 Citicards, P O Box 6241, Sioux Falls, SD 57117-6241
518523763 Comptroller of Maryland, Compliance Division, Revenue Administration CTR, Rm 100,
Annapolis, MD 21401
518523765 +Department Stores National Bank, PO Box 8053, Mason, OH 45040-8053
518523766 +Discover Bank, 325 Chestnut St, Ste 501, Philadelphia, PA 19106-2605
518523768 +Finance of America Mortgage, 15325 Fairfield Ranch Road, Suite 200,
Chino Hills, CA 91709-8834
518523770 Gulf Oil Ltd Partnership, PO Box 9001001, Louisville, KY 40290-1001
518681836 +John R. Morton, Jr., Esquire, 110 Marter Avenue, Suite 301, Moorestown, NJ 08057-3124
518523774 +Landis Sewerage Authority, 1776 S. Mill Road, Vineland, NJ 08360-6200
518523775 +Littman Jewelers, 3 Ethel Rd, Edison, NJ 08817-2855
518523776 +LoanCare Servicing Center, P.O. Box 8068, Virginia Beach, VA 23450-8068
518639236 +MidFirst Bank, 999 Northwest Grand Boulevard, Oklahoma City, OK 73118-6051
518523779 NTB Credit Plan, PO Box 183015, Columbus, OH 43218-3015
518523778 Nissan Motor Acceptance, PO Box 742658, Cincinnati, OH 45274-2658
518546829 Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
518523780 Office Of Attorney General, 25 Market Street, PO Box 112, Richard J Hughes Justice Complex,
Trenton, NJ 08625-0112
518600972 +Rebecca A. Solarz, Esquire, KML Law Group, P.C., 216 Haddon Avenue, Ste. 406,
Westmont, NJ 08108-2812
518523786 +Repossession Specialists, 511 S. Main St, Pleasantville, NJ 08232-3219
518523787 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: State Of New Jersey, P.O. Box 245,
Dept Of Treasury-Division Of Taxation, Trenton, NJ 08695-0245)
518523789 TD Retail Card Services, PO Box 11956, Newark, NJ 07101-4956
518523790 Vineland Electric Utility, 640 E Wood Street, Po Box 1508, Vineland, NJ 08362-1508
518556146 +Vineland Municipal Utilities, c/o Jeffrey N.Medio, Esq., 717 E.Elmer St,Ste 7,
Vineland NJ 08360-4758
518523791 +Wells Fargo Bank, P.O. Box 14517, Des Moines, IA 50306-3517
518627385 Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Mar 06 2020 01:45:33 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Mar 06 2020 01:45:29 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
518613539 E-mail/Text: ally@ebn.phinsolutions.com Mar 06 2020 01:44:08 Ally Capital, PO Box 130424,
Roseville MN 55113-0004
518523756 +E-mail/Text: ally@ebn.phinsolutions.com Mar 06 2020 01:44:08 Ally Financial,
PO Box 130424, Saint Paul, MN 55113-0004
518523760 E-mail/Text: bankruptcy@bbandt.com Mar 06 2020 01:44:41 BB&T, Po Box 1847,
Wilson, NC 27894
518556159 E-mail/Text: bankruptcy@bbandt.com Mar 06 2020 01:44:41
Branch Banking & Trust Company, Bankruptcy Section, P.O. Box 1847, 100-50-01-51,
Wilson NC 27894
518523759 E-mail/Text: bankruptcy@bbandt.com Mar 06 2020 01:44:41 BB&T, PO Box 2322,
Lumberton, NC 28359-2322
518523764 E-mail/Text: Bankruptcy@mail@marylandtaxes.gov Mar 06 2020 01:44:12 Comptroller Of Maryland,
1120 Carroll Street, Annapolis, MD 21411-0001
518523767 E-mail/Text: mrdiscen@discover.com Mar 06 2020 01:44:14 Discover Bank, P.O. Box 30943,
Salt Lake City, UT 84130-0943
518523769 E-mail/Text: bnc-bluestem@quantum3group.com Mar 06 2020 01:46:23 Fingerhut, Po Box 166,
Newark, NJ 07101-0166
518523773 E-mail/Text: sbse.cio.bnc@mail@irs.gov Mar 06 2020 01:44:35 Internal Revenue Service,
P.O. Box 744, Special Procedure Branch, Springfield, NJ 07081
518523777 E-mail/PDF: gecsedirecoverycorp.com Mar 06 2020 01:39:36 Lowes, PO Box 530914,
Atlanta, GA 30353-0914
518523781 +E-mail/PDF: gecsedirecoverycorp.com Mar 06 2020 01:40:54 Old Navy, PO Box 105980 Dept 72,
Atlanta, GA 30348-5980
518523782 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 06 2020 01:39:52
Portfolio Recovery Associates, LLC, PO Box 12914, Norfolk, VA 23541

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 51

Date Rcvd: Mar 05, 2020

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

518611410 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 06 2020 01:39:54
Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067,
Norfolk VA 23541
518523783 E-mail/Text: bnc-quantum@quantum3group.com Mar 06 2020 01:45:17 Quantum 3 Group,
PO Box 788, Kirkland, WA 98083-0788
518523784 +E-mail/Text: bnc-quantum@quantum3group.com Mar 06 2020 01:45:17 Quantum3 Group,
PO Box 788, Kirkland, WA 98083-0788
518523785 +E-mail/Text: bnc-quantum@quantum3group.com Mar 06 2020 01:45:18 Quantum3 Group LLC,
agent for Sandino Funding, PO Box 788, Kirkland, WA 98083-0788
518622821 E-mail/Text: bnc-quantum@quantum3group.com Mar 06 2020 01:45:18
Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
518523788 E-mail/PDF: gecsedirecoverycorp.com Mar 06 2020 01:38:26 Synchrony Bank/Walmart,
Po Box 965024, Orlando, FL 32896-5024
518550486 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Mar 06 2020 02:03:54 T Mobile/T-Mobile USA Inc,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
518629992 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Mar 06 2020 02:06:05 Verizon,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
TOTAL: 22

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +Nissan Motor Acceptance Corporation, PO Box 660366, Dallas, TX 75266-0366
518523772* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, PO Box 724, Springfield, NJ 07081)
518523771* +Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
TOTALS: 0, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 07, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 3, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor MIDFIRST BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Nissan Motor Acceptance Corporation
ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Rebecca Ann Solarz on behalf of Creditor MIDFIRST BANK rsolarz@kmlawgroup.com
Seymour Wasserstrum on behalf of Debtor Michelle A. Rybak mylawyer7@aol.com,
ecf@seymourlaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7